



Docket No.: E4355.0002/P002  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ivailo E. Stanimirov, et al.

Allowed: September 24, 2003

Application No.: 10/031,592

Confirmation No.: 6275

Filed: January 23, 2002

Art Unit: 2854

For: POLYCHROMATIC PRINTED  
CORKS AND METHOD FOR  
MAKING THE SAME

Examiner: M. Ferguson

PETITION UNDER 37 C.F.R. § 1.182

Box Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

It is respectfully requested and petitioned that the Notice of Allowance for  
the above-identified case mailed on September 24, 2003 and the Examiner's Amendment

attached thereto be vacated and the application returned to the Examiner for further

Adjustment date: 10/27/2004 LSPRUELL  
10/20/2003 HDEHESS1 00000038 10031592  
01 FC:1460 action. -130.00 DP

The undersigned received a telephone call from the Examiner in charge of this  
application on September 15, 2003. The Examiner suggested that claim 1 be cancelled  
and this would put the application in condition for allowance. The undersigned advised  
the Examiner that he would consult with the applicant and advise the Examiner of the  
applicant's decision. The applicant advised the undersigned that he would not agree to the

10/20/2003 HDEHESS1 00000038 10031592

01 FC:1460

130.00 DP

cancellation of claim 1 and the undersigned so advised the Examiner by telephone on September 22, 2003. Nevertheless, an Examiner's Amendment canceling claim 1 and allowing the application was issued on the 25 September 2003.

Since the applicant did not agree to cancellation of claim 1, it is respectfully submitted that the Examiner's Amendment should be vacated. As a result of that action, the case would not be in condition for allowance based on the current record. Accordingly, the Notice of Allowance should also be vacated.

Vacating the Notice of Allowance and the Examiner's Amendment and returning the application to the Examiner for further action is respectfully requested.

The Petition fee is also being submitted herewith.

Dated: October 17, 2003

Respectfully submitted,

By Edward A. Meilman

Edward A. Meilman

Registration No.: 24,735

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 835-1400

Attorney for Applicant



Use in lieu of PTO/SB/17 (08-03)  
(Form updated to reflect FY 2004 fees effective 10/1/03)

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 130.00

## Complete if Known

Application Number 10/031,592-Conf. #6275  
Filing Date January 23, 2002  
First Named Inventor Ivailo E. Stanimirov  
Examiner Name M. Ferguson  
Art Unit 2854  
Attorney Docket No. E4355.0002/P002

### METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 50-2215

Deposit Account Name Dickstein Shapiro Morin & Oshinsky LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 0.00

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 9 -20\*\* = ☐ x ☐ = 0.00  
Independent Claims 4 -3\*\* = ☐ x ☐ = ☐  
Multiple Dependent ☐ = ☐

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

### SUBMITTED BY

Name (Print/Type) Edward A. Meilman

Registration No. (Attorney/Agent)

24,735

### (Complete if applicable)

Telephone (212) 896-5471

Signature

Edward A. Meilman

Date

October 17, 2003